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REMARKS

Entry of the foregoing amendments and reconsideration of this application is requested. Claims 1-6 remain unchanged in the application. Reconsideration is respectfully requested.

The Examiner avers that the title of the invention is not descriptive. The Examiner suggests the title be changed to "Method for Making A Vacuum Microelectronic Device".

The applicants agree with the Examiner's recommendation and have amended the title accordingly herein.

The applicants believe that this change to the title of the invention overcomes the Examiners objection.

IN THE ABSTRACT

The Examiner avers that the abstract of the disclosure because it does not describe sufficiently the claimed method invention.

The applicants have rewritten the abstract below on a

separate page for Examiner approval. The applicants believe that the rewritten abstract overcomes the Examiners objection.

IN THE CLAIMS

Claims 7-20 without prejudice as an affirmation of the election made by the applicants. These claims will be reserved for the future filing of a divisional case.

Reconsideration is respectfully requested.

35 U.S.C. 103 Rejections

Claim 1 is rejected under 35 U.S.C. 103(a) as being unpatentable over Soclof (U.S. 4,683,399) in view of Johnson et al. (U.S. 6,495,865). The applicants respectfully traverse this rejection.

The applicants respectfully point out that neither Soclof nor Johnson teach, suggest, or disclose applying a first electric field to move a portion of the at least one electron emitter as suggested by the Examiner. In fact, neither Soclof

nor Johnson teach, suggest, or disclose moving a portion of the electron emitter at all.

The applicants believe that Soclof and Johnson teach the redirection of an emitted electron after the electron has been emitted by the electron emitter. Further, the applicants believe that it would be impossible to move portions of the device structures disclosed by Soclof and Johnson because they are solid structures and do not include flexible electron emitters as disclosed by the applicants.

For example, in FIG. 4 of Soclof, the applicants believe that elongated semiconductor fingers 30 and 31 (i.e. electron emitters) are solid structures that are not capable of being realigned by an electric field to increase the efficiency. Similarly in Johnson, the applicants believe that the electron emitter is a solid and flat piece of conductive material (See FIGS. 1-5 and Column 6, Lines 44-50) which is not capable of being realigned by an electric field to increase the efficiency.

In contrast, the applicants teach moving portions of the actual electron emitters (nanotubes) to better align the electron emitters with an applied electric field (and an anode) which increases the efficiency.

Hence, the applicants believe that Soclof in view of Johnson does not teach, disclose, or suggest a method of forming

a vacuum microelectronic device as disclosed by the applicants. In particular, Soclof in view of Johnson does not teach, disclose, or suggest moving a portion of the electron emitters and, consequently, could not anticipate the applicants invention. Thus, the applicants believe that the Examiners 35 U.S.C. 103(a) rejection of Claim 1 under Soclof in view of Johnson has been overcome and that Claim 1 is in condition for allowance.

Johnson was filed on February 1, 2001 which is within one year of our filing date of August 28, 2001.

Claims 3, 4, and 5 are rejected under 35 U.S.C. 103(a) as being unpatentable over Soclof (U.S. 4,683,399) in view of Johnson et al. (U.S. 6,495,865).

The applicants respectfully point out that Claims 3, 4, and 5 depend from independent Claim 1. As discussed above in regard to Claim 1, the applicants believe that independent Claim 1 is non obvious over Soclof in view of Johnson. Further, the applicants respectfully point out that if an independent claim is nonobvious under 35 U.S.C. 103, then any claim depending therefrom is nonobvious (See MPEP 2143.03). Therefore, the

applicants believe that the 35 U.S.C. 103(a) rejection of Claims 3, 4, and 5 under Soclof in view of Johnson has been overcome.

Claims 2 and 6 are rejected under 35 U.S.C. 103(a) as being unpatentable over Soclof (U.S. 4,683,399) in view of Johnson et al. (U.S. 6,495,865) and further in view of Goren et al. (U.S. 6,297,592).

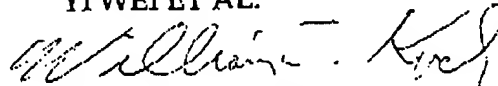
The applicants respectfully point out that Claims 2 and 6 depend from independent Claim 1. As discussed above in regard to Claim 1, the applicants believe that independent Claim 1 is non-obvious over Soclof in view of Johnson. Further, the applicants believe that Claim 1 is non-obvious over any proper combination of the prior art cited by the Examiner. In addition, the applicants respectfully point out that if an independent claim is nonobvious under 35 U.S.C. 103, then any claim depending therefrom is nonobvious (See MPEP 2143.03). Therefore, the applicants believe that the 35 U.S.C. 103(a) rejection of Claims 2 and 6 under Soclof in view of Johnson and Goren has been overcome.

Thus, the applicants believe that Claims 1-6 are now in condition for allowance.

SUMMARY

Thus, the applicant believes that claims 1-6 are now in condition for allowance. The applied references do not disclose, teach, or suggest a method of moving a portion of an electron emitter to increase the efficiency. In fact the applied references do not disclose, teach, or suggest moving a portion of an electron emitter at all and, therefore, cannot anticipate or make obvious the present invention. Therefore, the applicant believes that the subject application is now in condition for allowance. Notice to that effect is respectfully requested.

Respectfully submitted,
YI WEI ET AL.



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